

WEST AMERICAN INSURANCE )  
COMPANY, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
RLI INSURANCE COMPANY, )  
et al., )  
 )  
Defendants. )

RLI INSURANCE COMPANY,  
et al.,  
  
Defendants.

The Eighth Circuit remanded the case after determining the Court order entered December 30, 2009, was not a final judgment. The only claim the Eighth Circuit identified as still pending was a claim for declaratory judgment asserted by West American against RLI Insurance Company.

The parties have now filed a stipulation of dismissal of West American's claim for declaratory judgment. The Court dismisses this claim without prejudice based on the stipulation. The Court incorporates by reference all prior rulings into this order. There are no causes of action that remain pending in this case.

/s/ Ortrie D. Smith  
ORTRIE D. SMITH, SENIOR JUDGE  
UNITED STATES DISTRICT COURT

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